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Authority NND91982D

By EE NARA Date 11/27/87



Department of State

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DRAFTED BY EA/PRCM:JAUBERT:CED
APPROVED BY EA/PRCM:HETTHAYER
EA - MR. ARMSTRONG (DRAFT)
EB/EHT - MR. WRIGHT (DRAFT)
S/P - MR. KALICKI (DRAFT)
S/S - MR. BRIDGES

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FM SECSTATE WASHDC
TO USDAO PEKING IMMEDIATE

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EXDIS

E.O. 11652: XG0S-3

TAGS: ESTC, CH

SUBJECT: CDC COMPUTER FOR PRC

REF: PEKING 2098

1. YOU ARE AUTHORIZED TO INFORM DONAGHUE THAT USG HAS CONFIRMED TO CDC THAT IT IS PREPARED TO APPROVE CDC'S APPLICATION FOR THE SALE OF A COMPUTER SYSTEM TO TECHIMPORT TO BE USED BY THE SEISMIC CENTER IF CDC ACCEPTS THE CONDITIONS SET FORTH IN ANNEX I AND II CONVEYED TO CDC BY THE USG ON OCTOBER 14.

2. YOU SHOULD ORALLY DRAW DONAGHUE'S ATTENTION TO THE FOLLOWING POINTS. THE CONDITIONS ARE OF FOUR SORTS. CDC WILL HAVE TO AGREE TO PERFORM THE ACTIONS ENUMERATED UNDER ANNEX I HEADING NUMBER ONE. HEADING NUMBER 2 REQUIRES CDC TO EXERT ITS "BEST EFFORTS" TO PERFORM CERTAIN OTHER ACTIONS. HEADING NUMBER 3 SETS FORTH CONDITIONS

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UNDER WHICH THE U.S. WILL TAKE CERTAIN "APPROPRIATE" ACTIONS. THESE CONDITIONS ARE THAT "ANY OF THESE PROVISIONS ARE CONTRAVENED" OR THAT THE USG "HAS REASONABLE GROUND FOR SUSPICION THAT A SIGNIFICANT DIVERSION TO

STRATEGIC PURPOSES HAS TAKEN PLACE." HEADING NUMBER 4 IS A UNILATERAL STATEMENT BY THE US GOVERNMENT THAT IT "MAY" TAKE CERTAIN ACTIONS IF DESPITE CDC'S BEST EFFORTS CERTAIN PROVISIONS ARE CONTRAVENED. CDC WILL HAVE TO AGREE TO THE LIMITATIONS ON TECHNOLOGY TRANSFER SET FORTH IN ANNEX II.

3. ASK DONAGHUE TO TREAT ABOVE INFORMATION CONFIDENTIALLY, INDICATING THAT WE HOPE THAT DISCUSSION OF US CONDITIONS REMAIN BETWEEN CDC AND USG, AND REMIND HIM OF NEED FOR VISUAL INSPECTION IN TELEPHONIC COMMUNICATIONS. IN THIS CONNECTION YOU MAY TELL DONAGHUE THAT IF THERE IS INFORMATION HE WISHES TO RELAY CONFIDENTIALLY TO CDC, YOU WILL MAKE USLG CHANNEL AVAILABLE.

4. A PARALLEL PRESENTATION HAS BEEN MADE TO CDC REPS IN WASHINGTON. WE UNDERSTAND THAT CDC IS CONVEYING ITS REACTION TO DONAGHUE.
KISSINGER

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